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October 23, 2023

VIA ECF

Hon. Arun Subramanian
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Flynn et al, v. Cable News Network, Inc.*, No. 1:21-cv-02587-AS-SLC – Letter-Motion to File Videos and Book Conventionally

Dear Judge Subramanian:

We represent Defendant Cable News Network, Inc. (“CNN”) in the above-referenced action. We write pursuant to the SDNY’s Electronic Case Filing Rules and Instructions Rule 5.2, seeking leave to file conventionally by delivery to the Clerk of Court, a copy of a thumb drive comprised of audiovisual material and a copy of a book in support of CNN’s forthcoming Summary Judgment and Daubert motions.

Specifically, CNN intends to attach certain audiovisual clips produced in discovery in this case (the “Videos”) and attach as an exhibit a book authored by Plaintiffs’ expert Dr. Sophia Moskalkenko, *Pastels and Pedophiles: Inside the Mind of QAnon* (the “Book”). These Videos and the Book cannot be electronically filed because the Court’s CM/ECF system does not permit filings to be submitted in either form. Given the nature of these exhibits and the CM/ECF procedures, CNN seeks leave to conventionally file the Videos and Book with the Clerk of Court.

Counsel should first try to email the materials to
SubramanianNYSDChambers@nysd.uscourts.gov.
If the materials are too large to be attached, they
should be delivered by USB drive.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Arun Subramanian'.

Arun Subramanian, U.S.D.J.
Date: October 23, 2023

Respectfully Submitted,

Davis Wright Tremaine LLP

A handwritten signature in blue ink, appearing to read 'Katherine M. Bolger'.
Katherine M. Bolger